

# **HISTORIC PRESERVATION COMMISSION**

**City Council Chambers, Civic Center – 350 Kimbark Street**

**5:00 PM**

**September 3, 2015**

*Commissioners, please RSVP at 303-651-8764 or [brien.schumacher@longmontcolorado.gov](mailto:brien.schumacher@longmontcolorado.gov) if you will **not** be attending the meeting.*

1. Roll call
2. Introduction of guests
3. Report from Chairperson
4. Communications from the HPC staff liaison
5. Public invited to be heard
6. Prior business
7. New business

*The following agenda item includes a public hearing:*

408 4<sup>th</sup> Avenue – Lavridson House  
Request for designation as a historic landmark

8. Discussion item  
  
Demolition ordinance
9. Comments from HPC Commissioners
10. Comments from City Council Representative (Councilmember Levison)
11. Adjournment

**IF YOU NEED SPECIAL ASSISTANCE IN ORDER TO PARTICIPATE IN THE HISTORIC PRESERVATION COMMISSION MEETING, PLEASE CONTACT PLANNING AND DEVELOPMENT SERVICES AT 303-651-8330 IN ADVANCE OF THE MEETING TO MAKE ARRANGEMENTS.**



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**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**  
**Development Services Center / 385 Kimbark Street / Longmont, CO 80501**  
**(303) 651-8330 / Fax # (303) 651-8696**  
**E-mail: [longmont.planning@longmontcolorado.gov](mailto:longmont.planning@longmontcolorado.gov)**  
**Web site: <http://www.longmontcolorado.gov>**

## **STAFF REPORT**

**TO:** Historic Preservation Commission

**FROM:** Brien Schumacher, Commission Liaison

**DATE:** September 3, 2015

**RE:** Historic Preservation Commission (HPC) meeting at 5:00 p.m., in the City Council Chambers, Civic Center Complex, 350 Kimbark Street

Historic Preservation Commission (HPC) agenda items:

### New Business

7. 408 4<sup>th</sup> Avenue – Lavridson House  
Request for designation as a historic landmark

Refer to the staff report.

### Discussion Item

8. Demolition ordinance

Attached is a copy of the current demolition review language with staff comments about potential amendments. At the meeting staff will go through this document so that the Commission can discuss and provide input on amendments to the existing demolition ordinance.

Also attached is information provided to the Commission at the July 30 meeting, including a comparison of other jurisdiction demolition provisions, as well as previous ordinances adopted by the City regarding demolition review. Attached are copies of City ordinances from 2005 (current), 2003, 1994, 1989, 1985 that include provisions regarding demolition review. For the ordinances from 2005 and 2003 only portions are provided that include definitions and the demolition sections.

**LONGMONT HISTORIC PRESERVATION COMMISSION**  
**LOCAL HISTORIC LANDMARK DESIGNATION REQUEST**

**408 4<sup>th</sup> Avenue – Lavridson House**

**September 3, 2015**

**APPLICATION INFORMATION**

Type of application: Request for designation as a local historic landmark

Property owner: Ronald Carlson, Kristina Carlson and Andre Binard

Contact person: Andre Binard

Phone: 303-682-5481

Email: birnard@comcast.net

**PROPERTY INFORMATION**

Name of home: Lavridson House

Address of site: 408 4<sup>th</sup> Avenue

Legal description: East 42 1/2 feet of Lot 25 Block 50 Original Town of Longmont Subdivision,  
Colorado (Boulder County)

Existing use: Single-family dwelling

Proposed use: Single-family dwelling

**BACKGROUND INFORMATION**

The property owners have requested designation of his property as a local historic landmark according to Section 2.56 of the Longmont Municipal Code (LMC). The home was constructed around 1920.

A cultural resource survey (attached) was completed by Cultural Resource Historians in December 2001. In that survey, Carl McWilliams noted that the property was consistent with several of the landmark designation criteria at the time it was surveyed, and considered the house to be both historically and architecturally significant and exhibit an exceptionally high level of physical integrity. Below is an excerpt from the survey:

Built in the Bungalow style, this brick masonry dwelling is historically significant for its association with Longmont's residential development, from the time of its construction, circa 1920, through the middle of the twentieth century. In particular, the building is significant for its long association with Danish immigrant Tom Lavridson. The house is also architecturally significant for its representative Bungalow style of architecture, and for its brick masonry construction. Relatively few brick homes were constructed in Longmont's Eastside neighborhood.

Mr. McWilliams considered the house to be eligible for designation as a local historic landmark. There have been no additions and minimal exterior alterations to the home since its original construction.

#### **CRITERIA REVIEW FOR DESIGNATION OF LANDMARKS (LMC SECTION 2.56.050)**

- A. The council may designate a landmark with the consent of the owner if it is at least fifty years old, or is determined to have exceptional historic value, and meets one or more of the criteria listed below.
  - 1. The Landmark or Historic District has character, interest, or value as part of the development, or the cultural, artistic, social, ethnic, economic, political, technological or institutional heritage, of Longmont, Boulder County, Weld County, the state of Colorado, or the United States.
  - 2. It includes the site of a significant historic event.
  - 3. It is identified with a person or persons who significantly contributed to the development, or the cultural, artistic, social, ethnic, economic, political, technological or institutional heritage of Longmont, Boulder County, Weld County, the state of Colorado, or the United States.
  - 4. It portrays a historic era characterized by a distinctive architectural style.
  - 5. It is identified as the work of an architect or master builder whose individual work has influenced the development of Longmont, Boulder County, Weld County, the state of Colorado or the United States.

6. It embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant architectural innovation.
7. For an application with the owner's consent, its unique location or singular physical characteristics represent an established and familiar visual feature of the neighborhood, community, or the City of Longmont.
8. The site is geographically or regionally important.

### **PUBLIC HEARING NOTICE AND POSTING**

The property was posted with a public hearing sign and a notice was provided in the newspaper. Staff has not received any inquiries to date on this proposal.

### **COMMISSION OPTIONS**

The Commission will hold a public hearing on this matter and make a recommendation to the City Council regarding the request to designate this property as a local historic landmark.

The following options are presented for consideration by the Historic Preservation Commission:

1. Recommend that the property be designated as a local historic landmark.
2. Recommend that the property not be designated as a local historic landmark.
3. Defer action on the request based on the need for additional information.

For either option 1 or 2, the Commission should base its recommendation on the review criteria for designation of landmarks.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request for designation of the property as a local historic landmark. The property is consistent, at a minimum, with criteria 1, 3 and 4 for designation of a local historic landmark.

### **ATTACHMENTS**

1. Finding of significance form
2. Cultural resource survey
3. Photos of house

**CITY OF LONGMONT, COLORADO  
HISTORIC PRESERVATION COMMISSION  
FINDING OF SIGNIFICANCE**

September 3, 2015

Pursuant to Sections 2.56.050 and 2.56.060 of the City Code of the City of Longmont, Colorado, the Historic Preservation Commission for the City of Longmont, Colorado, hereby finds that the property listed below meets the criteria for local landmark designation with the consent of the owner under Section 2.56.050 of the City Code of the City of Longmont, Colorado as hereinafter enumerated:

**Historic property name: Lavridson House**  
**Historic property address: 408 4<sup>th</sup> Avenue, Longmont, Colorado**

Specifically, the Historic Preservation Commission finds that the property described above meets the following checked criteria:

- ☐ A. The property is at least 50 years old, or is determined to have exceptional historic value, and meets one or more of the criteria listed below:
- ☒ 1. The Landmark or Historic District has character, interest, or value as part of the development, or the cultural, artistic, social ethnic, economic, political, technological or institutional heritage, of Longmont, Boulder County, Weld County, the State of Colorado, or the United States.
- ☐ 2. The Landmark includes the site of a significant historic event.
- ☒ 3. It is identified with a person or persons who significantly contributed to the development, or the cultural, artistic, social, ethnic, economic, political, technological or institutional heritage of Longmont, Boulder County, Weld County, the state of Colorado, or the United States.
- ☒ 4. It portrays a historic era characterized by a distinctive architectural style.
- ☐ 5. It is identified as the work of an architect or master builder whose individual work has influenced the development of Longmont, Boulder County, Weld County, the State of Colorado, or the United States.
- ☐ 6. It embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant architectural innovation.
- ☐ 7. For an application with the owner's consent, the landmark's unique location or singular physical characteristics represent an established and familiar visual feature of a neighborhood, community, or the city of Longmont.

\_\_\_8. The site is geographically or regionally important.

In support of the foregoing findings, the Historic Preservation Commission hereby:

\_X\_ Recommends that the property be designated as a local historic landmark.

\_\_\_ Recommends that the property not be designated as a local historic landmark.

Dated this 3<sup>rd</sup> day of September, 2015.

\_Stefanie O'Malley\_\_\_\_\_

Stefanie O'Malley, Chairperson  
Historic Preservation Commission

**Architectural Inventory Form**

(Page 1 of 7)

**I. IDENTIFICATION**

1. Resource number: **5BL8798**
2. Temporary number: **N/A**
3. County: **Boulder**
4. City: **Longmont**
5. Historic building name: **Lavridson House**
6. Current building name: **House**
7. Building address: **408 4<sup>th</sup> Avenue**
8. Owner name: **Central Presbyterian Church of Longmont**  
Owner address: **402 Kimbark Street**  
**Longmont, CO 80501**

**II. GEOGRAPHIC INFORMATION**

9. P.M. **6th** Township **2N** Range **69W**  
**NW¼ of NE¼ of NE¼ of SE¼ of section 3**
10. UTM reference  
Zone **13**  
Easting: **490990**  
Northing: **4446550**
11. USGS quad name: **Longmont, Colorado**  
Year: **1968** (**Photorevised 1979**) **7.5'**
12. Lot(s): **25** Block: **50**  
Addition: **Longmont Original Town** Year of Addition **1872**
13. Boundary Description and Justification: **This legally defined parcel encompasses but does not exceed the land historically associated with this property.**

22. Architectural style / building type:  
**Bungalow**

**Official Eligibility Determination**

(OAHP use only)

- Date \_\_\_\_\_ Initials \_\_\_\_\_
- \_\_\_\_ Determined Eligible - National Register
- \_\_\_\_ Determined Not Eligible - National Register
- \_\_\_\_ Determined Eligible - State Register
- \_\_\_\_ Determined Not Eligible - State Register
- \_\_\_\_ Needs Data
- \_\_\_\_ Contributes to eligible National Register District
- \_\_\_\_ Noncontributing to eligible National Register District

**III. ARCHITECTURAL DESCRIPTION**

14. Building plan (footprint, shape):  
**Rectangular Plan**
15. Dimensions in feet: **1422 square feet**
16. Number of stories: **1 1/2**
17. Primary external wall material  
**Brick**  
**Stucco**
18. Roof configuration (enter one):  
**Hipped Roof / Gable-on-Hip Roof**
19. Primary external roof material (enter one):  
**Asphalt Roof / Composition Roof**
20. Special features (enter all that apply):  
**Porch**  
**Chimney**



**21. General Architectural Description**

This house is located at the northwest corner of Emery Street and 4<sup>th</sup> Avenue in Longmont's Eastside neighborhood. The building's façade is set back approximately thirty-six feet from 4<sup>th</sup> Avenue to the south, and there are wide grass strips, separating the sidewalks from the curbs along 4<sup>th</sup> Avenue and Emery Street. The building is supported by a low poured concrete foundation, and there is a full basement. The basement windows are 2-light hoppers, with painted white wood frames and surrounds. The house's walls are of red brick, laid in common bond. Beige-colored stucco, with false half-timbering, appears in the upper gable ends. The roof form is a gable-on-hip, covered with brown asphalt shingles, and with exposed rafter ends. Decorative purlins and ridge poles, with knee braces, appear in the upper gable ends on the façade (south elevation), and on the east and west elevations. There are two red brick chimneys—one located on the ridge, and one located on the exterior of the east elevation. Windows are primarily 2/1 and 3/1 (ribbon-style) double-hung sash, with painted white wood frames and surrounds, and with red brick rowlock sills. A distinctive 8-light, fixed-pane window is located in the upper gable end on the façade. A stained brown wood-paneled door, with three upper sash lights, a projecting locking rail, and with a silver metal storm door, opens onto a 5-step tongue-and-groove wood porch, which extends nearly the full length of the façade. This Craftsman-style porch features red brick knee walls, tapered brick pedestals, and paired, painted white, wood piers, which support a gabled porch roof. A painted white wood-paneled door, with one upper sash light, and with a silver metal storm door, enters the building at the north end of the east elevation.

**22. Architectural style / building type:**

Please see front page.

**23. Landscape or setting special features:**

This building is located at the northwest corner of Emery Street and 4<sup>th</sup> Avenue in Longmont's Eastside Neighborhood. Among Longmont's oldest core residential neighborhoods, the Eastside was platted in 1872 as part of Longmont's original townsite. The area is now home to a mixture of single-family residences, small retail shops, professional offices, and a few small apartment buildings.

**24. Associated buildings, features, or objects**

n/a

#### **IV. ARCHITECTURAL HISTORY**

25. Date of Construction:  
Estimate **ca 1920**  
Actual

Source of information:  
**1918 and 1930 Sanborn maps; Longmont city directories**

26. Architect:  
**n/a**

Source of information:  
**n/a**

27. Builder/ Contractor:  
**Tom Lavridson (possibly)**

Source of information:  
**"Tom Lavridson, Resident Here 34 Years, Dies." Longmont Times-Call, December 29, 1953. p.1.**

28. Original owner:  
**Thomas Lavridson**

Source of information:  
**Longmont city directories**

#### **29. Construction History (include description and dates of major additions, alterations, or demolitions):**

Sanborn insurance maps and Longmont city directories provide evidence that this dwelling was constructed circa 1920. There have been no additions to the structure following its original construction. Tom Lavridson, the house's original owner, was a stonemason; thus, it is very possible that he was responsible for the building's construction. He may also have built the two similar brick homes, located just to the west of this property at 410 and 414 4<sup>th</sup> Avenue.

30. Original location: **yes**  
Moved  
Date of move(s) **n/a**

#### **V. HISTORICAL ASSOCIATIONS**

31. Original use(s): **Domestic / Single Dwelling**  
32. Intermediate use(s): **Domestic / Single Dwelling**  
33. Current use(s): **Domestic / Single Dwelling**  
34. Site type(s): **Residence**

### **35. Historical Background**

Sanborn insurance maps and Longmont city directories corroborate to indicate that his dwelling was constructed circa 1920. The structure is not depicted on the 1916 Sanborn map for Longmont; however, it is depicted on the 1930 Sanborn map, suggesting that it was built sometime between 1918 and 1930. Moreover, the property's address, 408 4<sup>th</sup> Avenue, first begins to appear in Longmont city directories in 1921.

The property's original owners were Thomas and Mary Lavidson, who lived here with their adult daughter Anna, between 1921 and 1938. Tom Lavidson had been born in Esbjerg, Demark on December 21, 1866. He immigrated to Canada at the age of sixteen, and two years later, he made his way to northern Colorado. Mr. Lavidson obtained employment at a stone quarry at Lyons, and later became a stonemason. Beginning in the last 1880s, Tom, and his wife Mary, began farming four miles north of Longmont. Their daughter, Anna, was born on October 27, 1891. In 1909, the family moved into Longmont, where Tom worked for some years as a field man for the Kuner-Empson Cannery. About a decade later, circa 1920, the family moved into this new brick bungalow at the corner of 4<sup>th</sup> and Emery. In the mid-1920s, Tom was employed by the City of Longmont, as a city's street superintendent. In ensuing years, he worked primarily as a stonemason. The Lavidsons were members of the Central Presbyterian Church, and Tom belonged to the International Order of Odd Fellows.

Mary Lavidson passed away on March 11, 1938. Tom, and his daughter Anna, continued to live here together until Tom's death in December 1953. Anna Lavidson, who never married, continued to live here in her parent's home, until her health began to fail in the early 1960s. She worked, for many years, as a clerk at the J.C. Penney store in Longmont, and was a member of the Rebekah Lodge no. 16. Anna Lavidson passed away in early March 1967, at the age of 75.

Following the long tenure of the Lavidson family (circa 1920 to 1963), 408 4<sup>th</sup> Avenue was owned by the Alf and Vera Pedigo family who lived here in the late 1960s and early 1970s. In 1974, the property was purchased by Gaye Teskar, who lived here until circa 1979. At that point, the property evidently became a rental. In recent years, the property has been owned by the Central Presbyterian Church of Longmont, which is located nearby at the corner of 4<sup>th</sup> and Kimbark. Ted A. Kinsman lived here for a short time in about 1979 and 1980. Lester P. Nickless lived here in the mid-to-late 1980s, followed by Vernon H. Hopman, in the mid-1990s.

### **36. Sources of Information**

"Anna Lavidson Dies of Failing Health." *Longmont Times Call*, May 6-7, 1967, p. 3.

(Boulder County) "Real Estate Appraisal Card – Urban Master." On file at the Boulder Carnegie Library.

*Polk's Boulder County Directory* [generally published annually], Denver, Kansas City, and Salt Lake City: R.L. Polk and Company Publishers.

*Polk's Longmont City Directory* [generally published annually], Denver, Kansas City, and Salt Lake City: R.L. Polk and Company Publishers, 1966- 1997.

Sanborn Fire Insurance Maps, dated December 1890, September 1895, November 1900, April 1906, June 1911, March 1918, June 1930, and May 1956.

"Tom Lavidson, Resident Here 34 Years, Dies." *Longmont Times Call*, December 29, 1953, p. 1.

**VI. SIGNIFICANCE**

37. Local landmark designation:  
Yes  
No **xx**  
Date of Designation: **n/a**

**38. Applicable National Register Criteria**

- A. Associated with events that have made a significant contribution to the broad patterns of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;
- D. Has yielded, or may be likely to yield information important in history or prehistory;

Qualifies under Criteria Considerations A through G (see Manual).

**xx** Does not meet any of the above National Register criteria.

**City of Longmont Standards for Designation**

**xx** 2.56.040-A (1) The structure or district has character, interest or value, as part of the development, heritage or cultural characteristics of the city, state or nation.

2.56.040-A (2) The structure or district is the site of a historic event with an effect upon society.

**xx** 2.56.040-A (3) The structure or district is identified with a person or group of persons who had some influence on society.

**xx** 2.56.040-A (4) The structure or district exemplifies the cultural, political, economic, social or historic heritage of the community.

2.56.040-B (1) The structure or district portrays the environment of a group of people in an era of history characterized by a distinctive architectural style.

**xx** 2.56.040-B (2) The structure or district embodies those distinguishing characteristics of an architectural type specimen.

2.56.040-B (3) The structure or district is the work of an architect or master builder whose individual work has influenced the development of Longmont.

2.56.040-C (1) The structure or district, because of being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan based on a historic, cultural or architectural motif.

**xx** 2.56.040-C (2) The structure or district, due to its unique location or singular physical characteristics, represents an established and familiar visual feature of a neighborhood, community or the city.

Does not meet any of the above City of Longmont Standards for Designation.

39. Area(s) of Significance: **Architecture; Community Planning and Development; Ethnic Heritage / European**

40. Period of Significance: **ca. 1920-1951**

41. Level of Significance:

National:

State:

Local: **xx**

**42. Statement of Significance**

Built in the Bungalow style, this brick masonry dwelling is historically significant for its association with Longmont's residential development, from the time of its construction, circa 1920, through the middle of the twentieth century. In particular, the building is significant for its long association with Danish immigrant Tom Lavridson. The house is also architecturally significant for its representative Bungalow style of architecture, and for its brick masonry construction. Relatively few brick homes were constructed in Longmont's Eastside neighborhood. Although the property's level of significance is probably not to the extent that it would qualify for individual listing in the National Register of Historic Places, it does qualify for individual designation as a City of Longmont local landmark. The property would also qualify as a contributing resource with a National Register or local landmark historic district.

**43. Assessment of historic physical integrity related to significance:**

This house displays an exceptionally high level of physical integrity. There have been no additions, and no notable exterior alterations, to the original structure. The integrity of setting is also largely intact.

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**VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT**

44. National Register eligibility field assessment:

Eligible:

Not Eligible: **xx**

Need Data:

City of Longmont Local Landmark eligibility field assessment:

Eligible: **xx**

Not Eligible:

Need Data:

45. Is there National Register district potential?

Yes: **xx**

No:

Discuss: **This property is located less than one block west of the East Side Historic District, which is listed in the National Register of Historic Places. Properties in this area do have the potential to form a historic district of their own, or to be incorporated into the existing East Side Historic District.**

If there is National Register district potential, is this building:

Contributing: **xx**

Noncontributing:

46. If the building is in an existing National Register district, is it:

Contributing: **n/a**

Noncontributing: **n/a**

**VIII. RECORDING INFORMATION**

47. Photograph numbers:

Roll: **LONG-18**

Frame(s): **1-3**

Negatives filed at: **City of Longmont**

**Department of Community Development, Planning Division**

**Civic Center Complex**

**350 Kimbark Street**

**Longmont, Colorado 80501**

48. Report title: **East Side Neighborhood: Historic Context and Survey Report**

49. Date: **December 5, 2001**

50. Recorders: **Carl McWilliams**

51. Organization: **Cultural Resource Historians**

52. Address: **1607 Dogwood Court**  
**Fort Collins, Colorado 80525**

53. Phone number: **970/493-5270**











PUBLIC HEARING  
1000 S. 10TH AVE.  
HISTORIC PRESERVATION COMMISSION  
303-451-6108  
Wednesday, 6/24/2020











# **Longmont demolition review with comments**



2.56.190. - Review of permits for **total** demolition and moving of structures 50 years of age or older.

**Comment [BS1]:** Change to include partial demolitions?  
Options for partial demolition...

A. The purpose of this section is to prevent the loss of structures that are 50 years of age or older that may have historical or architectural significance, **which are not designated properties that are subject to the provisions of section 2.56.110,** and to provide the time necessary to initiate landmark designation or consider other alternatives for the preservation of such structures. Review is limited to structures that have not been determined to present a **dangerous condition** by the **fire chief** or chief building official and that meet the **following criteria:**

**Comment [BS2]:** Reword section

**Comment [BS3]:** Clarify what this may include

**Comment [BS4]:** Revise title

**Comment [BS5]:** Other criteria to consider?

1. Within the original Town of Longmont subdivision, **any structure.**

**Comment [BS6]:** Should this include both principal and accessory structures of any size? What about other structures – such as fences, pergolas, etc.?

2. Outside of the original Town of Longmont subdivision, any structure identified **in an architectural survey** as historically significant.

**Comment [BS7]:** Or determined by liaison (or others) to potentially have historical or architectural significance  
Should an architectural and historical survey be required prior to review? If so who pays?

B. The liaison and **one councilmember** appointed by the council shall review permit applications for **total** demolition or moving of structures meeting the criteria in subsections (A)(i) and (A)(2) of this section. The issuance of the permit shall be stayed for a period of **ten days** after submittal of a completed **application** to the chief building official for this review.

**Comment [BS8]:** Change to include one or more HPC members

**Comment [BS9]:** Remove

**Comment [BS10]:** 10 business days or 2 weeks or “as expeditiously as possible”.

**Comment [BS11]:** Update application form to include more detail of what information is required and process.

Questions:

1. Should there be a requirement for plan approval for the structure being removed?
2. Should there be a requirement to explore options for structure relocation?
3. Should the permit include requirements to salvage materials to the maximum extent?

C. If both the liaison and the **appointed councilmember** determine that there is no reasonable cause to believe that the structure may be eligible for designation as a landmark **without the consent of the owner,** except for any petition requirement, the chief building official shall issue the permit, provided **all other requirements** for the permit have been met.

**Comment [BS12]:** Revise

**Comment [BS13]:** Should there be a separate criteria? Review and revise as needed.

**Comment [BS14]:** See comment above about updating application form and requirements for demolition permit.

D. If either the liaison or the **appointed councilmember** determines that there is reasonable cause to believe that the structure may be eligible for designation as a landmark without the consent of the owner, except for any petition requirement, the stay of issuance of the permit shall be extended for up to **45 days** from the date of submittal of the application. A public hearing shall be set before the **council** to determine whether there is reasonable cause to believe that the structure may be eligible for designation as a landmark without the consent of the owner under the criteria and standards in section 2.56.050(C)(2) through (C)(5).

**Comment [BS15]:** Revise

**Comment [BS16]:** Is this adequate time? Should “as expeditiously as possible” be used rather than a specific time?

**Comment [BS17]:** Initial review by HPC

E. If the council finds that there is not reason to believe that the structure may be eligible for designation as a landmark without the consent of the owner under the criteria set forth in subsection (D) above, the chief building official shall issue a permit, provided all other requirements for the permit are met.

**Comment [BS18]:** HPC

**Comment [BS19]:** See comment above about updating application form and requirements for demolition permit.

F. If the council finds that there is reasonable cause to believe that the structure is eligible for designation, the stay of the permit application shall be extended for a period not to exceed 90 days from the date the completed permit application was submitted. During the period of the stay, the city may take any action that it deems necessary, consistent with this chapter, to preserve the structure, including, without limitation:

**Comment [BS20]:** HPC

**Comment [BS21]:** Is this adequate?

**Comment [BS22]:** Council review after HPC finding of eligibility? May need to extend time to accommodate additional step.

1. The city manager may negotiate with the owner of the structure and with any other parties in an effort to find a means of preserving it. Such negotiations may include recommendations of tax rebates for the property to appropriate agencies to encourage preservation, or inducements to interested third parties to purchase the structure for the purpose of preserving it according to section 2.56.090, Economic Incentives;
2. The city manager may enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise of the structure or any interest therein;
3. The council shall have the discretionary authority to waive all or any portion of the required stay; provided, that the removal, relocation, or demolition is undertaken under conditions agreed to by the council insuring the continued maintenance of the historical, architectural, or cultural integrity and character of the structure; or
4. The council may enact an ordinance designating the structure as a landmark, consistent with the otherwise applicable requirements of this chapter for designation with or without the consent of the owner.

G. If the council fails to hold a public hearing within 60 days after the chief building official accepts a completed permit application, any stay, including any extension according to the terms of this section, expires, and the chief building official shall issue the permit, provided all other requirements for the permit have been met.

**Comment [BS23]:** Revise language as needed. Other options to consider?

**Comment [BS24]:** Should this provision remain in some form?

(Code 1993, § 2.56.190; Ord. No. O-2003-41, § 1; Ord. No. O-2005-72, § 10)

Additional discussion topics

**Comment [BS25]:**

1. Demolition through neglect
2. Enforcement and penalties for demolition without permit (fines, moratorium, etc.)
3. Increase application fee for historic review on demolition permit?

Comparison of Demolition Ordinances

	Longmont	Boulder	Ft. Collins	Greeley	Loveland	Lafayette	Louisville	Littleton
What’s reviewed	1. Total demolition 2. 50 years or older, and 3. Within original town of Longmont; or 4. Identified in survey as significant	1. Total or partial demolition, and 2. 50 years or older	1. Total or partial demolition, and 2. 50 years or older, and 3. Meets criteria	Demolition of designated property or contributing property in a district	1. Total or partial demolition; and 2. Identified as eligible for nomination to state register in Loveland Historic Preservation Plan	Total or partial demolition of historic landmark	1. Total or partial demolition, and 2. 50 years or older	Total or partial demolition of historic property
Initial review	HPC staff liaison and appointed Council member	1. City manager, or 2. City manager and two landmark board members	Community development director and landmark preservation commission (LPC) chair or designee	HPC	Community services director and two HPC designees	Historic Preservation Board (HPB) hearing	Staff member and two randomly selected HPC members	Historic Preservation Board (HPB) hearing, except minor partial demolitions reviewed by community development director
Next steps if historically significant / no significant impact	Council hearing	Landmark board hearing	1. LPC preliminary hearing 2. LPC final hearing	Council hearing if appealed	1. HPC hearing 2. City Council hearing	Council hearing if appealed	HPC hearing	Council hearing if appealed
Final decision making body	City Council	Landmark board	LPC	HPC unless appealed	City Council	HPB unless appealed	HPC	HPB unless appealed
Timeframe/stays	1. 10 days initial review 2. 45 days (total) for Council review 3. 90 days (total) to explore preservation options	1. 14 days initial review 2. 60 days stay (total) for board review 3. 180 days (total) to explore preservation options	1. 10 days initial review 2. Preliminary hearing as expeditiously as possible; 3. Final hearing within 45 days of receipt of required information	With all due diligence	1. 15 days to determine eligibility for landmark nomination 2. 60 days for HPC hearing 3. 30 days for City Council hearing	1. 60 days for HPB hearing 2. 90 days to explore preservation options 3. If appealed, Council may extend the stay 180 additional days	1. 14 days initial review 2. 60 days (total) for HPC hearing 3. 180 days (total) to explore preservation options	1. 45 days for HPB hearing 2. 30 days for Council appeal hearing
Hearing notice required	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Application fee	No	Yes	Yes	Yes	No	No	No	No
Other provisions of ordinance	1. Extraordinary historical significance criteria for landmark designation without owners consent 2. Demolition of historic landmarks reviewed as a certificate of appropriateness/hardship 3. General city enforcement provisions - \$500 and/or 90 days in jail 4. General permit lapse after 180 days without extension	Penalty for violation of demolition provisions – maximum of \$5,000 or 90 days in jail	General city enforcement provisions – maximum of \$1,000 or 180 days in jail	General city enforcement provisions – maximum of \$1,000 or one year in jail	Five year moratorium on building permits for the structure and for the property at the structure’s original location for unauthorized demolition of a designated landmark or a structure within an historic district	1. Demolition reviewed as a certificate of appropriateness 2. General city enforcement provisions – maximum of \$1,000 and/or one year in jail	1. Pre-filing conference with HPC 2. Preservation or salvage of architectural elements and photo documentation 3. Lapse of demolition permit after 180 days 4. Five year moratorium on permits for the owner, structure, and property for intentional demolition of designated structure without city approval	1. Demolition reviewed as a certificate of historic appropriateness; 2. Five year moratorium on all moving, demolition, or building permits for the structure and for the property at the structure's original location for unauthorized demolition by action or neglect.



**Longmont Ordinance O-2005-72**

ORDINANCE O-2005-72

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.56 OF THE LONGMONT  
MUNICIPAL CODE ON HISTORIC PRESERVATION

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THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 1

The Council amends §2.56.010 of the Longmont Municipal Code, by adding italicized material and deleting stricken material, to read as follows:

2.56.010 Statement of purpose.

A. The city council declares as a matter of public policy that:

1. The protection, enhancement and preservation of properties of historic, geographic or architectural significance located within the city and those in the Longmont planning area are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.
2. *The Council must, observe the will of Longmont's citizens, as expressed in sections 4.1 and 4.3 of the Longmont Municipal Charter, that all legislative enactments must be in the form of ordinances and that every act establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance.*
3. *At all times in pursuing the foregoing public policies, the council must retain its legislative discretion to pass ordinances with or without amendments or conditions or to reject, postpone or repeal any ordinance.*

1 B. The purpose of this legislation is to:

2 1. Designate, preserve, and enhance those properties and areas that reflect  
3 elements of the city's heritage as stated in this chapter;

4 2. Create a method *to inform, but not limit or constrain, the Council in the*  
5 *exercise of its legislative discretion in drawing to draw* a reasonable  
6 balance between private property rights and the public's interest in  
7 preserving unique historic character;

8 3. Foster civic pride in the beauty and accomplishments of the past by  
9 stabilizing or improving the economic vitality and historic integrity of  
10 such historic properties;

11 4. Protect and enhance the quality of life for citizens;

12 5. Protect and enhance the city's attraction to tourists and visitors;

13 6. Promote the use and adaptive reuse of historic or architecturally  
14 significant properties for the education, awareness and welfare of the  
15 general public; and

16 7. Promote good urban design.

17 Section 2

18 The Council amends §2.56.020 of the Longmont Municipal Code, by adding italicized material  
19 and deleting stricken material, to read as follows:

20 2.56.020 Definitions.

21 The following definitions shall apply in the interpretation and operation of this  
22 chapter:

1       **"Alteration" means any addition or modification of any portion of the exterior of a**  
2       **property that changes the architectural style, arrangement, texture, or material of**  
3       **the property if such change, addition, or modification is visible from a public**  
4       **street, sidewalk, alley, or park.**

5       **"Certificate of appropriateness" means an official document issued by the**  
6       **commission, as provided for in Section 2.56.110.**

7       **"Certificate of hardship" means an official document issued by the commission**  
8       **granting relief from the rules and regulations of this chapter to property owners**  
9       **who have demonstrated economic or other hardship.**

10       **"Commission" means the Longmont historic preservation commission, formerly**  
11       **referred to as the landmark designation commission.**

12       **"Contributing property" means a property within a historic district that adds to the**  
13       **historic qualities or associations for which the district is significant, because it (a)**  
14       **was present during the period of significance of the historic district, (b) is capable**  
15       **of yielding important information about the historic period of significance, or (c)**  
16       **independently meets the criteria for landmark designation.**

17       **"Council" means the city council of the city of Longmont.**

18       **"Demolition" means any act or process that destroys, in whole or in part, a**  
19       **landmark or a structure within a historic district.**

20       **"Design guidelines" means a document adopted by council regulating alterations**  
21       **to a designated landmark or properties within a designated historic district.**

22       **"Designation" means the act of officially recognizing a landmark or historic**  
23       **district by passage of an ordinance.**

1        *"Extraordinary historic significance" means:*

- 2            *a.     Such unusual or uncommon significance that the structure's*  
3            *potential demolition or alteration would diminish the character and sense*  
4            *of place in the neighborhood; or*  
5            *b.     Superior or outstanding examples of the architectural, social or*  
6            *geographic historic significance criteria listed above.*

7        *"Historic District" means a group of sites, structures, objects or improvements*  
8        *and their surrounding environs, designated or undesignated, that meet the criteria*  
9        *set forth in this chapter.*

10       *"Landmark" means any site, structure, object or improvement and its surrounding*  
11       *environs, designated or undesignated, that meet the criteria set forth in this*  
12       *chapter.*

13       *"Liaison" means a staff member of the city of Longmont who is assigned the*  
14       *duties and responsibilities of historic preservation.*

15       *"Local preservation organization" means an organization that has experience*  
16       *and expertise in historic preservation, whose officers are entirely comprised of*  
17       *individuals who are Longmont residents or property owners who are actively*  
18       *engaged in Longmont in the promotion of preservation.*

19       *"Object" means those constructions that are primarily artistic in nature or*  
20       *relatively small in scale, simply constructed, ~~and not used for human habitation,~~*  
21       *as distinguished from buildings and structures. An object is *not used for human**  
22       *habitation and is usually associated with a specific setting or environment such*  
23       *as, but not limited to, sculptures, monuments, statuary, fountains, and markers.*

1 "Owner of record" means those persons listed on the records of the county  
2 assessor as the owners of a particular property (also referred to as "owner").

3 "Property" means any land or improvements on it, including but not limited to  
4 structures, objects, sites, areas and districts.

5 "Total demolition" means the complete destruction of ~~a building~~ *structure* fifty  
6 years old or older.

7 "*Structure*" means *anything constructed or erected that is located on the ground*  
8 *or attached to something located on the ground.*

9 "*Superior*" means *excellence of its kind.*

### 10 Section 3

11 The Council amends §2.56.040 of the Longmont Municipal Code, by adding italicized  
12 material and deleting stricken material, to read as follows:

#### 13 2.56.040 Powers and duties.

14 The commission shall have the following powers, duties and responsibilities:

15 A. Review and make recommendations to the council on applications for  
16 designation of properties as landmarks *with the consent of the owner or for*  
17 historic districts.

18 B. Review applications for certificates of appropriateness.

19 C. Advise the planning and zoning commission and the council on the  
20 development, establishment and revision of those sections of the Longmont Area  
21 Comprehensive Plan and land use regulations that pertain to the preservation of  
22 cultural, architectural, archaeological, or historic resources.

23 D. Make recommendations to the council regarding the following:

1           6. *Whether the applicant has submitted a relocation plan that includes*  
2           *posting a bond, insurance or other security, approved by the city attorney,*  
3           *sufficient to ensure safe relocation, preservation and repair, if required, of*  
4           *the structure.*

5    Section 10

6           The Council amends §2.56.190 of the Longmont Municipal Code, by adding italicized  
7    material and deleting stricken material, to read as follows:

8           2.56.190 Review of permits for total demolition *and moving of buildings and structures*  
9           *50 years of age or older.*

10          A. The purpose of this section is to prevent the loss of ~~buildings and structures~~  
11          that are fifty years of age or older that may have historical or architectural  
12          significance, which are not designated properties that are subject to the provisions  
13          of section 2.56.110, and to provide the time necessary to initiate landmark  
14          designation or consider other alternatives for the preservation of such ~~buildings~~  
15          ~~and structures~~. Review is limited to ~~buildings and structures that have not been~~  
16          *determined to present a dangerous condition by the fire chief or chief building*  
17          *official and that meet meeting the following criteria:*

18               1. Within the original town of Longmont subdivision,±

19               ~~a. Any principal structure, and;~~

20               ~~b. Any accessory structure identified in a survey as~~  
21               *historically significant.*

1                   2. Outside of the original town of Longmont subdivision, any ~~principal or~~  
2                   ~~accessory structure that is identified~~ in an architectural survey as  
3                   historically significant.

4                   B. The liaison and one ~~commissioner~~ *council member* appointed by the  
5                   ~~commission~~ *council* shall review permit applications for total demolition or  
6                   *moving of buildings and structures* meeting the criteria in subsections (A)(1) and  
7                   (A)(2) *above*. The issuance of the permit shall be stayed for a period of ten days  
8                   after submittal of a completed application to the *chief* building official for this  
9                   review.

10                  C. If both the liaison and the appointed ~~commissioner~~ *council member* determine  
11                  that there is no reasonable cause to believe that the structure may be eligible for  
12                  *designation as a landmark without the consent of the owner, except for any*  
13                  *petition requirement* ~~would be no significant impact or potential detriment to the~~  
14                  ~~historic resources of the city~~, the *chief* building official shall issue the permit,  
15                  provided all other requirements for the permit have been met.

16                  D. If either the liaison or the appointed ~~commissioner~~ *council member* determines  
17                  that there is reasonable cause to believe that the *structure building* may be eligible  
18                  for designation as a landmark *without the consent of the owner, except for any*  
19                  *petition requirement*, the stay of issuance of the permit shall be extended for up to  
20                  forty-five days from the date of submittal of the application. A public hearing  
21                  shall be set before the ~~commission~~ *council* to determine ~~if the structure has~~  
22                  ~~historic significance and whether there is reasonable cause to believe that the~~  
23                  *structure may be eligible for designation as a landmark without the consent of the*



1 owner under the criteria and standards in Section 2.56.050.C.2. through 5. ~~if the~~  
2 owner has the reasonable ability to preserve the structure. The commission shall  
3 consider and base its decision on any of the following criteria:

4 ~~1. The eligibility of the building for designation as a landmark~~  
5 ~~consistent with the purposes and standards in Section 2.56.050;~~

6 ~~2. The relationship of the building to the character of the~~  
7 ~~neighborhood as an established and definable area;~~

8 ~~3. The structural condition of the building;~~

9 ~~4. The reasonable projected cost of restoration or repair.~~

10 E. If the ~~commission~~ council finds that ~~the~~ there is not reason to believe that the  
11 structure ~~building~~ may be eligible for designation as a landmark without the  
12 consent of the owner ~~does not have significance~~ under the criteria set forth in  
13 subsection (D) above, the chief building official shall issue a permit, provided all  
14 other requirements for the permit are met.

15 F. If the ~~commission~~ council finds that ~~there is reasonable cause to believe that~~  
16 the ~~building or structure may have historical significance~~ is eligible for  
17 designation, the stay of the permit application shall be ~~suspended~~ extended for a  
18 period not to exceed ninety days from the date the completed permit application  
19 was submitted. During the period of the stay, the ~~commission~~ city may take any  
20 action that it deems necessary, consistent with this chapter, to preserve the  
21 building structure, including, without limitation:

22 1. ~~Processing an application for landmark designation~~ The city manager  
23 may negotiate with the owner of the structure and with any other parties

1 in an effort to find a means of preserving it. Such negotiations may  
2 include recommendations of tax rebates for the property to appropriate  
3 agencies to encourage preservation, or inducements to interested third  
4 parties to purchase the structure for the purpose of preserving it  
5 according to Section 2.56.090, Economic Incentives;

6 ~~2. Consulting with civic groups, public agencies, and interested citizens~~

7 The city manager may enter into negotiations with the owner for the  
8 acquisition by gift, purchase, exchange, or otherwise of the structure or  
9 any interest therein;

10 ~~3. Recommending acquisition of the property by private or public bodies~~

11 ~~or agencies; or~~ The council shall have the discretionary authority to waive  
12 all or any portion of the required stay; provided, that the removal,  
13 relocation, or demolition is undertaken under conditions agreed to by the  
14 council insuring the continued maintenance of the historical,  
15 architectural, or cultural integrity and character of the structure; or

16 ~~4. Exploring the possibility of moving the building, or salvaging building~~

17 ~~materials. Enact~~ The council may enact an ordinance designating the  
18 structure as a landmark, consistent with the otherwise applicable  
19 requirements of this chapter for designation with or without the consent of  
20 the owner.

21 G. If the ~~commission~~ council fails to hold a public hearing within sixty days  
22 after the chief building official accepts a completed permit application, any stay,  
23 including any extension according to the terms of this section, expires, and the

1 chief building official shall issue the permit, provided all other requirements for  
2 the permit have been met.

3 Section 11

4 The Council amends §2.56.210 of the Longmont Municipal Code, by adding italicized  
5 material and deleting stricken material, to read as follows:

6 2.56.210 Procedures for public hearing.

7 A. All public hearings ~~before the commission~~ shall follow the following  
8 procedures:

9 1. For historic district designations, a minimum of ten days before the  
10 public hearing, city staff shall send written notice of the public hearing to  
11 all owners of property within the proposed district.

12 2. Notice shall be published in a newspaper of general circulation at least  
13 ten days before the public hearing. The notice shall include a description  
14 of the nature of the application, and the date, time and location of the  
15 public hearing.

16 3. ~~The commission shall hold a public hearing according to the rules and~~  
17 ~~procedures adopted by the commission. The property that is the subject of~~  
18 *any public hearing shall be posted at least ten days before the scheduled*  
19 *public hearing.*

20 a. *Except where the designation does not have the consent of the*  
21 *owner, the applicant shall: (1) post the notice on weatherproof*  
22 *signs that have been provided by the city; (2) place the signs on the*  
23 *property that is the subject of the application; and (3) ensure that*

# **Longmont Ordinance O-2003-41**

ORDINANCE O-2003- 41

A BILL FOR AN ORDINANCE REPEALING AND REENACTING CHAPTER 2.56 AND  
REPEALING CHAPTER 16.52 OF THE LONGMONT MUNICIPAL CODE ON HISTORIC  
PRESERVATION COMMISSION

---

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 1

The Council repeals and reenacts chapter 2.56 to read as follows:

2.56.010 Statement of Purpose.

A. The city council declares as a matter of public policy that:

1. The protection, enhancement and preservation of properties of historic, geographic or architectural significance located within the city and those in the Longmont planning area are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.

B. The purpose of this legislation is to:

1. Designate, preserve, and enhance those properties and areas that reflect elements of the city's heritage as stated in this chapter;

2. Create a method to draw a reasonable balance between private property rights and the public's interest in preserving unique historic character;

3. Foster civic pride in the beauty and accomplishments of the past by stabilizing or improving the economic vitality and historic integrity of such historic properties;

4. Protect and enhance the quality of life for citizens;

5. Protect and enhance the city's attraction to tourists and visitors;

6. Promote the use and adaptive reuse of historic or architecturally significant properties for the education, awareness and welfare of the general public; and

7. Promote good urban design.

2.56.020 Definitions.

The following definitions shall apply in the interpretation and operation of this chapter:

1           "Alteration" means any addition or modification of any portion of the  
2 exterior of a property that changes the architectural style, arrangement, texture, or  
3 material of the property if such change, addition, or modification is visible from a  
4 public street, sidewalk, alley, or park.

5           "Certificate of appropriateness" means an official document issued by the  
6 Commission, as provided for in section 2.56.110.

7           "Certificate of hardship" means an official document issued by the  
8 Commission granting relief from the rules and regulations of this chapter to  
9 property owners who have demonstrated economic or other hardship.

10          "Commission" means the Longmont Historic Preservation Commission,  
11 formerly referred to as the Landmark Designation Commission.

12          "Contributing property" means a property within a historic district that  
13 adds to the historic qualities or associations for which the district is significant,  
14 because it (a) was present during the period of significance of the historic district,  
15 (b) is capable of yielding important information about the historic period of  
16 significance, or (c) independently meets the criteria for landmark designation.

17          "Council" means the city council of the city of Longmont.

18          "Demolition" means any act or process that destroys, in whole or in part, a  
19 landmark or a structure within a historic district.

20          "Design guidelines" means a document adopted by Council regulating  
21 alterations to a designated landmark or properties within a designated historic  
22 district.

23          "Designation" means the act of officially recognizing a landmark or  
24 historic district by passage of an ordinance.

25          "Historic District" means a group of sites, structures, objects or  
26 improvements and their surrounding environs, designated or undesignated, that  
27 meet the criteria set forth in this chapter.

28          "Landmark" means any site, structure, object or improvement and its  
29 surrounding environs, designated or undesignated, that meet the criteria set forth  
30 in this chapter.

1           **"Liaison"** means a staff member of the city of Longmont who is assigned  
2           the duties and responsibilities of historic preservation.

3           **"Object"** means those constructions that are primarily artistic in nature or  
4           relatively small in scale, simply constructed, and not used for human habitation,  
5           as distinguished from buildings and structures. An object is usually associated  
6           with a specific setting or environment such as, but not limited to, sculptures,  
7           monuments, statuary, fountains, and markers.

8           **"Owner of record"** means those persons listed on the records of the County  
9           Assessor as the owners of a particular property (also referred to as "owner").

10          **"Property"** means any land or improvements on it, including but not  
11          limited to structures, objects, sites, areas and districts.

12          **"Total Demolition"** means the complete destruction of a building 50 years  
13          or older.

14       **2.56.030       Creation of the Longmont Historic Preservation Commission.**

15           A.     The Longmont historic preservation commission shall consist of  
16           nine members appointed by the council. Members of the commission shall serve  
17           for a term of four years from the date of appointment, and initial appointments  
18           shall be staggered so that the terms of approximately one third of the commission  
19           membership shall expire each year. Beginning January 1, 2004, the commission  
20           shall consist of seven members appointed by the council.

21           B.     The council shall also appoint two alternate members to the  
22           commission to serve initial terms and subsequent terms as specified for regular  
23           commission members. The alternate members shall serve on the commission  
24           during the temporary unavailability of regular members or until a replacement for  
25           a regular member, appointed by the council has assumed office, upon the  
26           resignation, removal or death of a regular member.

27           C.     In making appointments to the commission, council shall attempt  
28           to maintain a balance of interests and skills in the composition of the commission  
29           and shall consider the individual qualifications of the candidates including, but  
30           not limited to, their training, experience, knowledge and interest in the history of  
31           Longmont, Boulder County, Weld County, or in any one or more of the following

1           2.     If the request is to revoke the designation of a portion of a property  
2     or a historic district, the revocation will not impact the integrity of the remainder  
3     of the property or district.

4     2.56.190     Review of Permits for Total Demolition of Buildings and  
5     Structures 50 Years of Age or Older.

6           A.     The purpose of this section is to prevent the loss of buildings and  
7     structures that are 50 years of age or older that may have historical or architectural  
8     significance, which are not designated properties that are subject to the provisions  
9     of section 2.56.110, and to provide the time necessary to initiate landmark  
10    designation or consider other alternatives for the preservation of such buildings  
11    and structures. Review is limited to buildings and structures meeting the  
12    following criteria:

13           1.     Within the Original Town of Longmont Subdivision,  
14           a.     any principal structure, and  
15           b.     any accessory structure identified in a survey as historically  
16    significant.

17           2.     Outside of the Original Town of Longmont Subdivision, any  
18    principal or accessory structure that is identified in an architectural survey as  
19    historically significant.

20           B.     The liaison and one commissioner appointed by the commission  
21    shall review permit applications for total demolition of buildings and structures  
22    meeting the criteria in subsections A.1& 2. The issuance of the permit shall be  
23    stayed for a period of ten days after submittal of a completed application to the  
24    building official for this review.

25           C.     If both the liaison and the appointed commissioner determine that  
26    there would be no significant impact or potential detriment to the historic  
27    resources of the city, the building official shall issue the permit, provided all other  
28    requirements for the permit have been met.

29           D.     If either the liaison or the appointed commissioner determines that  
30    there is reasonable cause to believe that the building may be eligible for  
31    designation as a landmark, the stay of issuance of the permit shall be extended for



1 up to forty-five days from the date of submittal of the application. A public  
2 hearing shall be set before the commission to determine if the structure has  
3 historic significance and if the owner has the reasonable ability to preserve the  
4 structure. The commission shall consider and base its decision on any of the  
5 following criteria:

6 1. The eligibility of the building for designation as a landmark  
7 consistent with the purposes and standards in section 2.56.050;

8 2. The relationship of the building to the character of the  
9 neighborhood as an established and definable area;

10 3. The structural condition of the building;

11 4. The reasonable projected cost of restoration or repair.

12 E. If the commission finds that the building does not have  
13 significance under the criteria set forth in subsection D., above, the chief building  
14 official shall issue a permit, provided all other requirements for the permit are  
15 met.

16 F. If the commission finds that the building may have historical  
17 significance, the stay of the permit application shall be suspended for a period not  
18 to exceed ninety days from the date the completed permit application was  
19 submitted. During the period of the stay, the commission may take any action  
20 that it deems necessary, consistent with this chapter, to preserve the building,  
21 including, without limitation:

22 1. Processing an application for landmark designation;

23 2. Consulting with civic groups, public agencies, and interested  
24 citizens;

25 3. Recommending acquisition of the property by private or public  
26 bodies or agencies; or

27 4. Exploring the possibility of moving the building, or salvaging  
28 building materials.

29 G. If the commission fails to hold a public hearing within sixty days  
30 after the chief building official accepts a completed permit application, the chief  
31 building official shall issue the permit, provided all other requirements for the

1 permit have been met.

2 **2.56.200 Recognition of Properties of Historic, Architectural or Aesthetic**  
3 **Merit.**

4 The commission may recognize any property of historic, architectural or  
5 aesthetic merit, which has not been recognized under any other provisions of this  
6 chapter to encourage the protection, restoration, preservation, enhancement, and  
7 adaptive reuse of such properties.

8 A. The commission may authorize such action as it deems desirable to  
9 recognize the merit, protection, preservation, enhancement, and use of such  
10 properties, including, but not limited to, the issuance of a certificate of merit.

11 B. The commission may recognize or revoke recognition of properties  
12 of historic, architectural or aesthetic merit without the necessity of a formal  
13 hearing.

14 C. The commission shall maintain a record of properties so  
15 recognized.

16 D. Nothing in this section shall be construed to impose any  
17 regulations or controls upon such properties of merit by reason of recognition.

18 **2.56.210 Procedures for Public Hearing.**

19 A. All public hearings before the commission shall follow the  
20 following procedures:

21 1. For historic district designations, a minimum of ten days before the  
22 public hearing, city staff shall send written notice of the public hearing to all  
23 owners of property within the proposed district.

24 2. Notice shall be published in a newspaper of general circulation at  
25 least ten days before the public hearing. The notice shall include a description of  
26 the nature of the application, and the date, time and location of the public hearing.

27 3. The commission shall hold a public hearing according to the rules  
28 and procedures adopted by the commission.

29 **2.56.220 Appeals.**

30 A. All Actions and Decisions Final Unless Appealed. All actions and  
31 decisions made by the liaison or the commission shall become final unless

# **Longmont Ordinance O-94-83**

ORDINANCE 0-94- 83

A BILL FOR AN ORDINANCE AMENDING TITLE 16, CHAPTER 52, OF THE LONGMONT MUNICIPAL CODE, BY ESTABLISHING A NINETY DAY WAITING PERIOD FOR DEMOLITION OF STRUCTURES CONSTRUCTED MORE THAN FIFTY YEARS AGO IN THE ORIGINAL TOWN OF LONGMONT OR A LOCALLY DESIGNATED OR NATIONALLY REGISTERED HISTORICAL DISTRICT

---

WHEREAS, the Council finds that it is in the best interests of the public to preserve structures in the original town of Longmont and in locally designated or nationally registered historical districts that were constructed fifty or more years ago; and

WHEREAS, the Council finds that these amendments of Longmont Municipal Code, Title 16, Chapter 52, provide a reasonable waiting period procedure for issuance of demolition permits for structures constructed more than fifty years ago in the original town of Longmont or in a locally designated or nationally registered historical district that may have historical, architectural, or geographical significance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

SECTION 1

That Title 16, Chapter 52, of the Longmont Municipal Code, is hereby amended by the addition of the words or letters in italics and the deletion of the words or letters stricken, to read as follows:

16.52.010 *Permit Demolition permit* issuance restrictions.

~~Unless a structure having been constructed fifty or more years ago has been designated as a historic landmark or within a historic district subjecting such structure to the alteration procedures set forth in Chapter 2.56 of this code, no~~ *For ninety days from the date of permit*

1 *application, the city shall not issue a building or other permit for the demolition of a structure*  
2 *built before such time and situated within that territory platted as Original Town constructed*  
3 *more than fifty years ago in the original town of Longmont shall be issued or become effective*  
4 *for a period of sixty days from the date of permit application otherwise conforming to the legal*  
5 *requisites applicable to such application plat or in a locally designated or nationally registered*  
6 *historical district, unless the landmark designation commission or the council terminates the*  
7 *ninety day waiting period as stated in this chapter.*

8  
9 16.52.020 Notice requirements.

10 Upon ~~submission receipt~~ of the application for a permit authorizing the demolition of such  
11 ~~structures, the~~ *a structure constructed more than fifty years ago in the original town of Longmont*  
12 *plat or in a locally designated or nationally registered historical district, the chief building*  
13 *official shall:*

14 A. Provide the ~~landmark designation commission staff liaison~~ *planning director with*  
15 *a copy of the permit application* ~~within two days;~~

16 B. Post notice on the property sought for demolition ~~indicating that a~~ *of the*  
17 *demolition permit has been applied for, and setting forth the application and expiration date of*  
18 *expiration of the sixty-ninety day waiting period, within seven days; and*

19 C. ~~Cause legal~~ *Publish* notice of the demolition permit application and expiration of  
20 *the sixty-ninety day waiting period to be published once in a newspaper of general circulation*  
21 *within in the city, within seven days.*

22  
23 16.52.030 Landmark designation commission action.

24 ~~The~~ *Upon the applicant's request, the* landmark designation commission shall consider  
25 *the application issue of terminating the ninety day waiting period at its next regularly scheduled*  
26 *meeting, or if deemed appropriate, the chair may call unless the chairperson calls a special*  
27 *meeting upon notification of the application. The landmark designation commission shall conduct*  
28 *such hearings, make such presentations, and take such action as it deems appropriate. may*  
29 *terminate the ninety day waiting period if the applicant demonstrates that the structure has no*  
30 *historical, architectural, or geographical importance, as section 2.56.040 describes the terms.*

1     *The planning director shall communicate the commission's decision to the chief building official*  
2     *by the next business day.*

3  
4     **16.52.040     ~~Early termination of delay period.~~ Appeal to council.**

5             ~~If The applicant may appeal the decision of the landmark designation commission to the~~  
6     ~~council by filing an appeal letter according to section 2.56.185 at a regular or special meeting~~  
7     ~~makes a finding of "no significance" regarding the structure, it will communicate such finding~~  
8     ~~in writing to the building official on the next business day and the waiting period shall be~~  
9     ~~terminated. The council shall consider the applicant's appeal within fifteen days of the close of~~  
10    ~~the appeal period stated in section 2.56.185. The city clerk shall publish notice of the appeal~~  
11    ~~in a newspaper of general circulation in the city at least five days before the hearing. The~~  
12    ~~council shall open the appeal hearing by receiving a report from the planning director. The~~  
13    ~~council shall then give the applicant an opportunity to present evidence and argument. The~~  
14    ~~council may augment the record by considering additional evidence and testimony if the planning~~  
15    ~~director and the applicant are given an opportunity to rebut it. The council may terminate the~~  
16    ~~ninety day waiting period if the applicant demonstrates:~~

17            A.     *The structure has no historical, architectural, or geographical importance, as*  
18     *section 2.56.040 describes the terms; or*

19            B.     *The structure is a danger to public safety; or*

20            C.     *The ninety day waiting period will cause the applicant significant and irreparable*  
21     *economic harm.*

22  
23    ~~16.52.050     Appeal due to emergency or extraordinary hardship Hearing.~~

24            ~~A. Any person denied the issuance of a permit pursuant to this chapter may submit a~~  
25    ~~petition to the city council specifying emergency or extraordinary hardship which will result by~~  
26    ~~virtue of delay. Factors which shall be considered include, but are not limited to, dangerous con-~~  
27    ~~dition affecting public safety, the substantial absence of historical hardship and loss of economic~~  
28    ~~opportunity.~~

~~B. The council shall, at a special or scheduled meeting, conduct a public hearing on the petition within fifteen days of filing. Notice of the hearing shall be published at least five days prior to such hearing.~~

~~16.52.060 — Review prior to application.~~

~~All structures within the Original Town of Longmont being or upon becoming subject to this chapter shall be eligible for review prior to the application for demolition permit. Upon application for prior review, which application shall be submitted to the building official, the notice requirements of Section 16.52.020 shall become applicable; however, the publication of legal notice shall specify that the purpose of the application is for prior review rather than for providing notice that a demolition permit has been requested. No demolition permit shall be issued subsequent to the application for prior review until the expiration of the balance of the sixty day waiting period; however, the early termination provisions set forth in Section 16.52.040 or the emergency and extraordinary hardship provisions set forth in Section 16.52.050 may be invoked, if appropriate, if a demolition permit is requested during the pendency of the prior review process.~~

~~16.52.070 — Sunset clause.~~

~~This chapter shall terminate and be of no further force and effect after December 31, 1994, unless extended by ordinance.~~

SECTION 2

That all ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

Introduced this 29<sup>th</sup> day of NOVEMBER, 1994.

Passed and adopted this 10<sup>th</sup> day of JANUARY, 1994.<sup>5</sup>

1  
2 Lena Stecker

3 Mayor

4  
5 Attest:



10 Valerie H. Skitt

11 City Clerk

12 Notice: Public hearing on the above ordinance will be held on the 10<sup>th</sup> day of JANUARY  
13 5 1994, in Council Chambers at 7:00 p.m.

14  
15 Approved as to form:

16  
17  
18 [Signature]  
19  
20 Deputy City Attorney



## **Longmont Ordinance O-89-68**

**ORDINANCE O-89-68**

**A BILL FOR AN ORDINANCE ESTABLISHING A SIXTY DAY PERIOD OF DELAY FOR THE DEMOLITION OF STRUCTURES HAVING BEEN CONSTRUCTED FIFTY OR MORE YEARS AGO.**

---

**WHEREAS**, the Council deems it desirable to temper precipitous demolition of structures situated in the original town of Longmont having been constructed fifty or more years ago; and

**WHEREAS**, the Council believes that it is in the best interests of the City to continue to preserve these structures; and

**WHEREAS**, in order to do so, it is necessary to perpetuate previous provisions for delaying demolition of these structures; and

**WHEREAS**, the Council does not desire to cause undue delay in the demolition of structures which are not found to be historically significant.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, HEREBY ORDAINS:**

**Section 1**

**PERMIT ISSUANCE RESTRICTIONS.** Unless a structure having been constructed fifty or more years ago has been designated as a historic landmark or within a historic district subjecting such structure to the alteration procedures set forth in Chapter 2.56 of the Longmont Municipal Code, no building or other permit for the demolition of a structure built before such time and situated within that territory platted as Original Town of Longmont shall be issued or become effective for a period of sixty days from the date of permit application otherwise conforming to the legal requisites applicable to such application.

**Section 2**

**NOTICE REQUIREMENTS.** Upon submission of the application for permit authorizing the demolition of such structures the building official shall:

1. Provide the Landmark Designation Commission staff liaison a copy of the permit application within two days.

2. Post the property sought for demolition indicating that a demolition permit has been applied for, and setting forth the date of expiration of the sixty day waiting period within seven days.

3. Cause legal notice of the demolition permit application and expiration of the sixty day waiting period to be published once in a newspaper of general circulation within the city within seven days.

### Section 3

LANDMARK DESIGNATION COMMISSION ACTION. The Landmark Designation Commission shall consider the application at its next regularly scheduled meeting, or if deemed appropriate, the chairman may call a special meeting upon notification of the application. The Landmark Designation Commission shall conduct such hearings, make such presentations, and take such action as it deems appropriate.

### Section 4

EARLY TERMINATION OF DELAY PERIOD. If the Landmark Designation Commission at a regular or special meeting makes a finding of "No Significance," regarding the structure; it will communicate such finding in writing to the building official on the next business day and the waiting period shall be terminated.

### Section 5

#### APPEAL DUE TO EMERGENCY OR EXTRAORDINARY HARDSHIP.

1. Any person denied the issuance of a permit pursuant to this ordinance may submit a petition to the City Council specifying emergency or extraordinary hardship which will result by virtue of delay. Factors which shall be considered include, but are not limited to, dangerous condition affecting public safety, the substantial absence of historical hardship and loss of economic opportunity.

2. The Council shall, at a special or scheduled meeting, conduct a public hearing on the petition within fifteen days of filing. Notice of the hearing shall be published at least five days prior to such hearing.

### Section 6

REVIEW PRIOR TO APPLICATION. All structures within the Original Town of Longmont being or upon becoming subject to this ordinance shall be eligible for review prior to the application for demolition permit. Upon application for prior review, which application shall be submitted to the building official, the notice requirements of Section 2 shall become applicable, however, the publication of legal notice shall specify the purpose of the application is for prior review rather than for providing notice that a demolition permit has been requested. No demolition permit shall be issued subsequent to the application for prior review until the expiration of the balance of the sixty day waiting period, however, the early termination provisions set forth in

Section 4 or the emergency and extraordinary hardship provisions set forth in Section 3, may be invoked, if appropriate, if a demolition permit is requested during the pendency of the prior review process.

Section 7

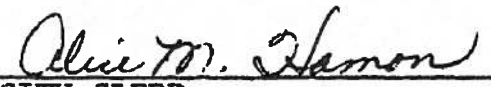
SUNSET CLAUSE. This ordinance shall terminate and be of no further force and effect after December 31, 1994, unless extended by ordinance.

Introduced this 14<sup>TH</sup> day of November, 1989.

Passed and adopted this 28<sup>TH</sup> day of NOVEMBER, 1989.

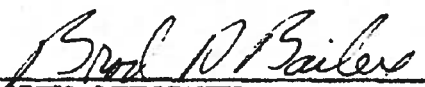
  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

NOTICE: PUBLIC HEARING ON THE ABOVE ORDINANCE WILL BE HELD ON THE 28<sup>TH</sup> DAY OF NOVEMBER, 1989, IN COUNCIL CHAMBERS AT 7:00 P.M.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

# **Longmont Ordinance O-85-98**

ORDINANCE 0-85-98

AN ORDINANCE RELATING TO THE  
PRESERVATION OF STRUCTURES  
HAVING POTENTIAL SIGNIFICANCE  
AS HISTORIC LANDMARKS, ESTABLISHING  
A PERIOD OF SIXTY DAYS DELAY FOR  
THE DEMOLITION OF STRUCTURES  
CONSTRUCTED BEFORE 1935.

WHEREAS, the precipitous demolition and destruction of structures built before 1935 without opportunity for exploring options for preservation, relocation or salvage, is deemed by the City Council to potentially result in the avoidable and irreversible destruction of structures of unique historical significance reflecting the history and heritage of the community; and

WHEREAS, the Council has enacted a comprehensive landmark designation ordinance as set forth in Chapter 2.56 of the Longmont Municipal Code, and pursuant to the standards and criteria thereof, the Landmark Designation Commission is currently formulating an inventory of potential historic structures and districts within the City, which inventory is scheduled to be completed by the end of September, 1986; and

WHEREAS, it is deemed by the Council to serve the general welfare of the citizens of Longmont, subject to the emergency review provisions hereof, to provide public notice and notice to the Landmark Designation Commission of any application for the physical demolition of any structure situated within the territory of the Original Town of Longmont constructed before 1935, in order to facilitate historic significance evaluation within the community, and to generate the commitment of all interested parties to strive in good faith to accommodate the interests of private property ownership and preservation of local landmarks.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, HEREBY ORDAINS:

Section 1

PERMIT ISSUANCE RESTRICTIONS. Unless a structure constructed before 1935 has been designated as a historic landmark or within a historic district subjecting such structure to the alteration procedures set forth in Chapter 2.56 of the Longmont Municipal Code, no building or other permit for the demolition of a structure built before 1935 and situated within that territory platted as Original Town of Longmont shall be issued or become effective for a period of sixty (60) days from the date of permit application otherwise conforming to the legal requisites applicable to such application.

Section 2

NOTICE REQUIREMENTS. Upon submission of the application for permit authorizing the demolition of such structures the building official shall provide the following notices within ten (10) days of the application.

1. A copy of the permit application shall be forthwith transmitted to the Landmark Designation Commission, which shall conduct such hearings, make such presentations, and take such action as it deems appropriate under the circumstances presented.

2. Post the property sought for demolition indicating that a demolition permit has been applied for, and setting forth the date of expiration of the sixty day waiting period.

3. Cause legal notice of the demolition permit application and expiration of the sixty day waiting period to be published once in a newspaper of general circulation within the City.

### Section 3

#### APPEAL DUE TO EMERGENCY OR EXTRAORDINARY HARDSHIP.

(a) Any person denied the issuance of a permit pursuant to this Ordinance may submit a petition to the City Council specifying emergency or extraordinary hardship which will result by virtue of delay. Factors which shall be considered, include, but are not limited to, dangerous condition effecting public safety, the substantial absence of historical significance in the structure or to the surrounding area, economic hardship and loss of economic opportunity.

(b) The Council shall, at special or scheduled meeting, conduct a public hearing on the petition within fifteen (15) days of filing. Notice of the hearing shall be published at least five (5) days prior to such hearing.

### Section 4

#### SUNSET PROVISION.

This Ordinance shall automatically expire and be of no further force and applicability on and after October 1, 1986, unless extended by ordinance of the Council.

Introduced this 12<sup>TH</sup> day of NOVEMBER, 1985.

Passed and adopted this 26<sup>TH</sup> day of NOVEMBER, 1985.

  
MAYOR

ATTEST:



Alvin M. Simon  
CITY CLERK

NOTICE: PUBLIC HEARING ON THE ABOVE ORDINANCE WILL BE HELD ON THE 26<sup>TH</sup>  
DAY OF November, 1985, IN COUNCIL CHAMBERS AT 7:00 P.M.